IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 13704 of 2005

Between:

M.Narayana, S/o.M.Savalaiah,
APSRTC, C/o. I.P.Joel, Gen, Secretary & Representative, for the workmen,
& Employees & APSRTC, Employees & Workers Union, Regd.No.10, Door.Nos.11-4-288 & 11-4-77/78,Chilakalguda, Secunderabad.

..... PETITIONER

AND

1. The Depot Manager, APSRTC, Ranigunj-1, Bus Depot, Ranigunj, Secunderabad.

2. The Enquiry officer, APSRTC, Secunderabad Division, Rathifile Bus Station Complex, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent No.2 in refusing to permit to take the assistance of the union representative Sri I.P.Joel, General Secretary, and representative for the APSRTC. Employees and workers union, Regd. No.H.10, Door Nos. 11-4-288 and 11-4-77/78 Chilakalaguda, Secunderabad Pin Code - 500061 A.P. during the course of enquiry conducted ex-parte through letter of enquiry dt.25-5-2005 and the 1st respondent as the petitioner/ workmen through the Letter No.9-6-2005 to submit his comments and objections over the exparte enquiry conducted, is illegal and arbitrary and consequently direct respondents to conduct the re-enquiry by permitting the Union representative Sri I.P.Joel, General Secretary and Representative for the workmen and the above named union whom the

petitioner workmen has authorised to file and represent this petition on behalf of the petitioner by giving proper opportunity assist during the enquiry to the petitioner keeping the principles of natural justice in view.

Counsel for the Petitioner: PARTY-IN-PERSON

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court at the admission stage made the following:

ORDER:

This writ petition is filed questioning the action of the respondents in not allowing to take assistance of the Union representative during the course of enquiry. However, it is now represented that the enquiry had already been conducted and in pursuance of the same, a show cause notice was also issued to the petitioner.

In that view of the matter, this Court cannot grant any relief as prayed for by the petitioner at this stage. However, it is open to the petitioner to raise all the objections to the show cause notice served on him and it is for the authorities concerned to consider those objections.

The writ petition is accordingly dismissed as infructuous. No costs.

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08.07.2005

VGB

To

1. The Depot Manager, APSRTC, Ranigunj-1, Bus Depot, Ranigunj, Secunderabad.

2. The Enquiry Officer, APSRTC, Secunderabad Division, Rathifile Bus Station Complex, Secunderabad.

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